



# Louisiana Housing Finance Agency

The following resolution was offered by Commissioner Mayson H. Foster and seconded by Commissioner Joseph M. Scontrino, III:

## RESOLUTION

**Denying the exterior design waiver for the Brick/Stucco option for Santa Rosa Heights #07/08(PC)-87 (Baton Rouge); and providing for other matters in connection therewith.**

**WHEREAS**, the Louisiana Housing Finance Agency (the "Agency") has been ordered and directed to act on behalf of the State of Louisiana (the "State") in applying for, implementing, administering programs, grants and/or resources made available pursuant to Section 42 of the Internal Revenue Code (the LIHTC Program);

**WHEREAS**, Santa Rosa Heights #07/08(PC)-87 (Baton Rouge) selected the brick/stucco option on the selection criteria and was awarded points based on this representation, and was funded because it received these additional points; and

**WHEREAS**, Santa Rosa Heights did not meet the requirement to have 75% of its exterior brick or stucco and asked the Agency to waive the requirement, staff has reviewed the request and, based upon the information provided, is recommending approval of the request for the exterior design waiver for the brick/stucco option; and

**WHEREAS**, upon staff's research in order to make a recommendation, it was discovered that without these points, the project's scoring would have changed so that this project would have not been awarded without the points; therefore, constituting a "material change" that can only be granted by this Board; and

**WHEREAS**, the staff, based on the facts at hand, is recommending the Board not grant this material change to allow the project to not comply with the 75% selection criteria that it represented it would comply with in its tax credit application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Louisiana Housing Finance Agency (the "Board"), acting as the governing authority of said Agency that:

**SECTION 1.** The Agency denies the point waiver for the brick/stucco option within the selection criteria.

**SECTION 2.** The Agency staff and counsel are authorized and directed to prepare the forms of such documents and agreements as may be necessary to implement the Board's actions.

**SECTION 3.** The Chairman, Vice Chairman, President, Vice President and/or Secretary of the Agency be and they are hereby authorized, empowered and directed to execute any forms and/or documents required to be executed on behalf of and in the name of the Agency, the terms of which are to be consistent with the provisions of this resolution as approved by the Agency's General Counsel and LIHTC Program Counsel, Foley & Judell, L.L.P.

This resolution having been submitted to a vote, the vote thereon was as follows:

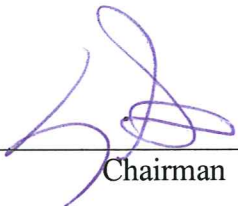
**YEAS:** Wayne E. Woods, Alice Washington obo John Kennedy, J. Mark Madderra, Guy T. Williams, Mayson H. Foster, Michael L. Airhart, Joseph Scontrino, III, Katie Anderson, Elsenia Young, Neal Miller

**NAYS:**

**ABSTAIN:**

**ABSENT:** Allison A. Jones, Tyrone A. Wilson, Susan Sonnier, Walter O. Guillory, Jerome Boykin, Sr.

And the resolution was declared adopted on this, the 10th day of November, 2009.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Secretary

**STATE OF LOUISIANA**

**PARISH OF EAST BATON ROUGE**

I, the undersigned Secretary of the Board of Commissioners of the Louisiana Housing Finance Agency (the "Agency"), do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Board of Commissioners on November 10, 2009, "Denying the exterior design waiver for the Brick/Stucco option for Santa Rosa Heights #07/08(PC)-87; and providing for other matters in connection therewith."

**IN FAITH WHEREOF**, witness my official signature and the impress of the official seal of the Agency on this, the 10th day of November, 2009.

  
Secretary

(SEAL)

**DELEGATION OF AUTHORITY**

**STATE OF LOUISIANA**

**PARISH OF EAST BATON ROUGE**

**BEFORE ME**, the undersigned Notary, duly commissioned and qualified in the Parish and State aforesaid, personally came and appeared:

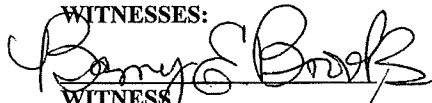
**MILTON J. BAILEY**

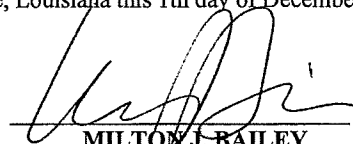
who, having been duly sworn, did depose and say:

1. That he is the duly elected President of the Louisiana Housing Finance Agency (the "Agency"), thus serving as "appointing authority" as defined in the Civil Service Rules;
2. That he is the duly elected Secretary of the Louisiana Housing Finance Agency;
3. That he does hereby delegate and authorize his appointing authority to Loretta Wallace, in his absence effective on December 5, 2009 through the earlier of December 9, 2009 or his return to the office, to act in his stead as appointing authority, to sign all documents to the same effect as the appointing authority, including, but not limited to, the authority to take, initiate, approve, and sign formal disciplinary actions, take action and sign the documentation necessary to hire, promote, grant merit increases, and any and all other personnel actions involving any and all employees of the Agency.
4. That he does hereby delegate his authority as President and Secretary to sign contracts, agreements, and all documents that bind the Agency, and which are necessary to be signed during his absence.


**THUS DONE AND SIGNED** in the presence of the undersigned Notary and competent witnesses at Baton Rouge, Louisiana this 1th day of December 2009.

**WITNESSES:**

  
WITNESS  
Barry Brooks

  
MILTON J. BAILEY  
PRESIDENT

  
WITNESS  
Leslie Strahan

  
Christine Bratkowski #27781  
NOTARY PUBLIC  
Commission expires upon death